

10/573244

IAP9 Rec'd PCT/PTO 23 MAR 2006

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below

Express Mail Label No. EV 690629734 US

Date: March 23, 2006

By: Jennifer Arch  
Jennifer Archer

Attorney Docket No. 101769-350 (KGB)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Bernhard MÜSSIG  
SERIAL NO. : To Be Assigned [This is a 371 of PCT/EP2004/052211]  
CUSTOMER NO. : 27384  
FILED : Herewith  
FOR : CARBON BLACK-FILLED AGE-RESISTANT POLYOLEFIN WRAPPING FOIL  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO/SB/08.

**I. Timeliness, Fees and Certifications in lieu of Fees**

- A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee

is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):

1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.

2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

## **II. Copies of Listed References**

- A. Copies of all references listed on the attached Form PTO/SB/08 are being supplied. Copies of U.S. patents are not included pursuant to Pre-OG Notice dated July 11, 2003.
- B. Copies of all references listed on the attached Form PTO/SB/08 have already been supplied during the prosecution of prior application Serial No. \_\_\_\_, filed \_\_\_\_, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO/SB/08 are not now being supplied.
- C. This application is a PCT national stage application, all references listed on the attached Form PTO/SB/08 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO/SB/08 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO/SB/08 are not now being supplied.

## **III. Concise Statement of Relevance**

- A. All references listed on the attached Form PTO/SB/08 are in the English language, and, therefore, a concise statement of relevance is not required.
- B. All references listed on the attached Form PTO/SB/08 are referred to in the specification and/or were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is

attached.

The Examiner will note that English language counterparts or Abstracts of non-English language references are also enclosed, as follows:

WO99/61541 - Corresponds to US 6,444,309 B1.  
DE 94 01 037.4 U1 - No English abstract available.  
DE 100 02 180 A1 - Abstract provided.  
DE 200 22 272 U1 - No English abstract available.  
DE 203 06 801 U1 - No English abstract available.  
EP 1 123 958 A2 - No English abstract available.  
JP 05-017727 - Patent Abstracts of Japan provided.  
JP 07-150126 - Patent Abstracts of Japan provided.  
JP 09-208906 - Patent Abstracts of Japan provided.  
JP 10-149725 - Patent Abstracts of Japan provided.

- C. All references listed on the attached Form PTO/SB/08 were cited in the search report issued by the \_\_\_\_\_ Patent Office, and an English-language version of that search report, which indicates the degree of relevance found by that Patent Office, is attached.
- D. This application is a PCT national stage application, all references listed on the attached Form PTO/SB/08 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.
- E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

IAP9 Rec'd PCT/PTO 23 MAR 2006

**IV. Additional Information**

- A. In addition to the references listed on the attached Form PTO/SB/08, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- B. In addition of the references listed on the attached Form PTO/SB/08, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted  
NORRIS MC LAUGHLIN & MARCUS, P.A.

By \_\_\_\_\_  
Kurt G. Briscoe  
Attorney for Applicant(s)  
Reg. No. 33,141  
875 Third Avenue - 18<sup>th</sup> Floor  
New York, New York 10022  
Phone: (212) 808-0700  
Fax: (212) 808-0844

10/573244

PTO/SB/08A (08-03)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form PTO-1449		Application Number <b>IAPG Rec'd PCT/US 23 MAR 200</b>
		Filing Date: <b>Herewith</b>
		First Named Inventor: <b>Bernhard MÜSSIG</b>
		Art Unit: <b>To Be Assigned</b>
		Examiner Name: <b>To Be Assigned</b>
Sheet 1 of 1		Attorney Docket Number: <b>101769-350 (KGB)</b>

**U.S. PATENT DOCUMENTS**

Examiner's Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup>	MM-DD-YYYY		
A	US - 5,262,471	Nov. 16, 1993	Akao		
B	US-2001/0003625	Jun. 14, 2001	Apgar et al		
C	US - 4,992,331	Feb. 12, 1991	DeCoste, Jr.		
D	US - 5,498,476	Mar. 12, 1996	Tucker et al		

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>				
E	WO 09/61541		Dec. 2, 1999	Sliontec Corporation		✓
F	DE 94 01 037.4		Apr. 21, 1994	Coroplast Fritz Mueller KG		✓
G	DE 100 02 180 A1		Jul. 26, 2001	Mitsubishi Polyester Film		✓
H	DE 200 22 272 U1		Sept. 20, 2001	Beiersdorf AG		✓
I	DE 203 06 801 U1		Jul. 17, 2003	Certoplast Vorwerk & Sohn GmbH		✓
J	EP 0 953 599 A1		Nov. 3, 1999	Kyowa Chemical Industry Co.		✓
K	EP 1 097 976 A2		May 9, 2001	Nitto Denko Corporation		✓
L	EP 1 123 958 A2		Aug. 16, 2001	Certoplast Vorwerk & Shon GmbH		
M	JP 05-017727		Jan. 26, 1993	Toppan Printing Co. Ltd.		✓
N	JP 07-150126		Jun. 13, 1995	Nitto Denko Corp.		✓
O	JP 09-208906		Aug. 12, 1997	Sekisui Chem. Co. Ltd.		✓
P	JP 10-149725		Jun. 2, 1998	Sekisui Chem. Co. Ltd.		✓
Q	WO 00/71634 A1		Nov. 30, 2000	Tyco International Inc.		✓
R	WO 03/070848 A1		Aug. 28, 2003	Yazaki Corporation		✓
S	WO 97/05206 A1		Feb. 13, 1997	Scapa Group PLC		✓
T	WO 99/35202 A1		Jul. 15, 1999	Minnesota Mining and Manufacturing Co.		✓

**EXAMINER SIGNATURE:****DATE CONSIDERED:**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>see Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>for Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.197 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.